IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT
THE HON'BLE MR JUSTICE GODA RAGHURAM
WRIT PETITION NO : 3147 of 2005

Between:
Krishnaveni all Castes Sand and Ferry Boat Workers Development Mutually Aided Co-operative Society Limited, Rep by its President, Sri M. Donge, S/o. Muthyal Rao, aged 48 years, R/o. Vundavalli, Thadepalli Mandal, Guntur District.

..... PETITIONER

AND

1 The District Level Committee for Sand, Rep by its Chairperson, Zillaparishad, Guntur District.
2 The District Panchayat Officer, and Member Convenor, District Level Committee for Sand, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order or orders or direction or writ more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in issuing notification dt. 6-2-2005 relating to Reach No. 10, Upstream of Prakasam Barrage, Krishna River, Vundavalli, Guntur District for fresh lease hold rights as illegal and arbitrary and set aside the same, consequentially direct the respondents to continue the petitioners society lease hold rights pertaining to Reach No. 10, Upstream of Prakasham Barrage, Krishna River Vundavalli, Guntur District and to pass such other order or orders as this Hon'ble court may deem fit and proper in the interest of justice

Counsel for the Petitioner: MR.M.L.ALI

Counsel for the Respondents.: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court, at the stage of admission, made the following :

ORAL ORDER

The petitioner is aggrieved by the notification issued by the first respondent calling for applications for grant of a quarry lease for sand, *inter alia*, in respect of Reach No.10, Upstream of Prakasham barrage, Krishna River, Undavalli Village, Guntur Distirct. The petitioner was initially granted lease in respect of this Reach for the period 28-02-2003 to 27-02-2004. This was renewed for the subsequent year up to 28-02-2005. On the petitioner's representation, the first respondent extended the lease period for 12 days up to 11-03-2005. While so, a notification has been issued proposing grant of quarry lease commencing from 28-02-2005.

The singular grievance of the petitioner is that during subsistence of his current lease up to 11-03-2005 the first respondent has initiated proceedings for grant of a fresh lease in respect of Reach No.10 for a period commencing from 28-02-2005.

The learned Government pleader for Panchayat Raj has appeared at the stage of admission and submitted an instructions from the first respondent that no auction would be held or a quarry lease granted to any persons in respect of Reach No.10 for a period prior to 11-03-2005.

In view of this submission on behalf of the respondents, the petitioner's grievance does not survive. Recording the submission on behalf of the respondents, the writ petition is dismissed as infructuous. No order as to costs.

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GODA RAGHURAM,J

22ND FEBRUARY 2005

Note:

Wire tomorrow
(B/O)
*TSNR

To

1 The District Level Committee for Sand, Rep by its Chairperson,
Zillaparishad, Guntur District.
2 The District Panchayat Officer, and Member Convenor,
District Level Committee for Sand, Guntur District.
3 Two CCs to GP for PANCHAYAT RAJ, High Court Buildings,
High Court of A.P.Hyderabad(OUT)
4 Two C.D.Copies.